



## Ben Burley

### Managing Director

#### Current Position

Ben Burley is a Managing Director with Secretariat, specialising in consulting on construction projects in the area of delay analysis. Mr. Burley is an experienced Expert and specialises in high value complex International Arbitrations with a particular focus on APAC and EMEA. Mr. Burley's practice involves analysis of delay, disruption and acceleration arising to construction and engineering projects or programs of work to assist in the resolution of complex disputes. His clients benefit from his extensive delay, planning, programming and project controls experience. He has developed his skills in multiple sectors including energy, offshore structures, infrastructure, building, and industrial. He has been appointed expert witness relating to time, delay, concurrent delay and disruption. Mr. Burley has provided expert reports and oral evidence in support of his opinion to various dispute resolution forums, specifically litigation, arbitration, adjudication and mediation. As well as traditional cross examination Mr. Burley is also experienced in witness conferencing or 'hot tubing' in multiple different forms.

#### References from Who's Who Legal

Who's Who Legal describe Mr. Burley as "*He is an excellent construction expert*" who is "*diligent, proactive and efficient*", and "*is on top of every detail in complicated cases*", *opine interviewees, who also note that he "communicates with clients very well" and "a well-known delay expert with strong expertise in the construction sector. He advises on domestic and international projects and enjoys an excellent reputation in the space."* who "*stands out in the construction delay space as a leader for his work in a variety of high-value international disputes.*

#### Professional Experience

Mr. Burley's experience in the construction industry spans planning engineering and project management in both contracting and consultancy roles. He specialises in complex disputes between contracting parties arising as a result of delay, concurrent delay or disruption to construction and engineering projects.

#### Contact Details

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#### Professional History

- Secretariat
- Ankura Consulting Asia
- FTI Consulting, Hong Kong
- Arcadis, Hong Kong
- Shephard Construction, UK
- GB Building Solutions, UK

#### Education

- MSc in Construction Law and Arbitration
- BA (Hons) in Construction Management
- Fellow of Chartered Institute of Builders (FCIOB)
- Fellow of Chartered Institution of Arbitrators (FCI Arb)
- Fellow of Hong Kong Institute of Arbitrators (FHKI Arb)
- Member of The Academy of Experts (MAE)

## Representative Engagements

### Engineering and Infrastructure Experience

- Major Bridge, Hong Kong
- Multi Purpose Bridge, Bangladesh
- Metro in Ho Chi Minh City, Vietnam
- Manufacturing Facility, Philippines
- MRT Rail, Malaysia
- LRT Rail, Malaysia
- MTR Rail Project, Hong Kong
- Major Foundation Project, Hong Kong
- Canal Expansion, Central America
- Airport, Middle East
- Production Facility, UK
- Birmingham New Street Station, UK
- Trainline and station installations, UK
- North West Route Rail, UK
- Tottenham Court Road, UK
- London Underground Rail, UK
- Highway, UK
- Deep Mining Project, Europe
- London Flyover, UK
- Nigerian International Border Control, Nigeria

### Power and Energy Experience

- O&G Complex, India
- 2x300MW Power Plant, India
- Giant integrated gas development (IGD) in Abu Dhabi, UAE
- Super Complex Full Field O&G Development in Abu Dhabi, UAE
- FPSO, China
- FPSO, Korea
- Soft Yoke Mooring System, Caspian Sea
- 120MW Wind Farm, Taiwan
- 1000MW Power Plant, Uzbekistan
- 2000MW Power Plant, Malaysia
- Biomass Power Plant, UK
- Waste to Energy Plant, UK

### Building Project Experience

- Border Control Facility, Hong Kong
- Residential Building Project, Hong Kong
- High Rise Residential Development, Singapore
- Major Retail A&A Development, Singapore

## Ben Burley

- Casino Development, Macau
- Luxury Spa Hotel, UK
- Fashion Designers London Headquarters Building, UK
- Residential Developer, UK
- High Specification Residential Building, UK
- Social Housing Regeneration Project, UK
- Building Project, UK
- Library Building, UK
- Residential Building, UK
- High Specification Building, UK
- Housing Development, UK
- Apartment Complex, UK
- Teaching and Research Facility, UK
- Police Headquarters Building, UK
- Social Housing Project, Location
- Residential Building Project, UK
- Art Gallery, UK
- Office Building, UK
- Luxury Apartment Complex, UK
- Mixed use Development, UK

### **Live Projects and Strategic Project Advice**

- Institute for Animal Health Laboratory, UK
- Manufacturing Plant, UK
- Mixed Use Development, UK
- Office Building, UK
- Airport Hotel, UK
- School, UK
- School, UK
- Industrial Catering Facilities, UK
- Aeronautical Controls Manufacturing Facility, UK

## Training and Seminars

- Presented to the CIOB on the rise of MiC and how it will change the way that delays, concurrent delay and disruption are analysed. Attendees also explored the issue of “*when do ‘soft’ (design & fabrication) delays become more critical than ‘hard’ (construction) delays?*”
- Presented at the annual FIDIC conference on “*Effective Claims Management Under FIDIC – Avoiding, Containing and Handling claims*” Claims are not inevitable. Giving attention to their avoidance and containment is just as important as properly presenting and handling them. The session discussed ways to prevent claims from arising in the first place. In addition, a focus on the situation if claims do arise and cover how to best present claims and successfully pursue or defend them.
- Provide scenario-based training for a large international EPC contractor on planning, programming, delay analysis and claim presentation. The training included the development of an ongoing scenario over two weeks as events occurred and how to abstract this into a detailed and persuasive claim.
- Provide training for a large international EPC contractor at their annual legal and contract management conference on the principles of planning, programming, delay analysis, analysis of concurrent delay and claim presentation.
- Provide training to a Japanese international construction, architectural, engineering and general contracting cooperation on the importance of planning and progress monitoring to mitigate and avoid disputes.
- Provided two days of training to the Transport for London on planning and project management of infrastructure projects, particularly focusing on the mechanics of NEC and the common pitfalls that arise for project managers.
- Provided online video tutorials for a large International Law firm’s training academy. The tutorials focused on planning and programming and the analysis of compensation events under NEC.
- Provided specialist training to the in house Arcadis teams responsible for the Environment Agency contracts on programming and planning under NEC and how contractors may influence submitted programmes to generate claims as the work proceeds.
- Provided specialist training to Employers Agents on programming and planning under standard forms of contract and how contractors may influence submitted programmes to generate claims as the work proceeds.